

REMARKS

Claims 1, 3-18, 21-51, 53-59, 62-68, 70-76, 79-84 are pending in the application. claims 1, 51 and 68 are the independent claims. Claims 1, 3-18, 21-51, 53-59, 62-68, 70-76, 79-84 stand rejected. Applicants herein amend claims 1, 3, 34, 51, 53-59, 62-68, 70, and 80. Further review and consideration is respectfully requested in view of the amendments and the following remarks.

Interview Summary

On March 24, 2008 the undersigned conducted an interview with the Examiner. During the interview the undersigned discussed claim1. No agreement was reached.

Objections

Claim 34 is objected to as improper for allegedly failing to further limit the subject matter of a previous claim. Applicants respectfully traverse this objection. Claim 34 depends indirectly from claim 1.

Claim 1 states in part

“the owning relationship extending from a first Item to a second Item, wherein an owning relationship extending from the first Item to the second Item denotes to said database management program of the operating system that a file stream associated with said second Item is publicly accessible to said first Item, and a lack of an owning relationship extending back from said second Item to said first Item denotes to said database management program of the operating system that a file stream associated with said first Item is inaccessible to said second Item.”

Claim 34 states in part:

wherein said Relationship from said first Item to said second Item logically denotes in said database management program of the operating system that the file stream associated with said second Item is public and accessible to said first Item, and wherein said Relationship from said second Item to said first Item logically denotes in said database management program of the operating system that said file stream associated with the first Item is public and accessible to said second Item.

Applicants respectfully submit that the differences emphasized above illustrate that claim 34 further limits the subject matter of the independent claim from which it depends. Accordingly, Applicants respectfully request reconsideration of the rejection of claim 34.

Double Patenting

Claims 21-32 and 35-38 stand rejected under the doctrine of double patenting. Applicants herein cancel claims 21-32 and 35-38. Accordingly, Applicants respectfully submit that the rejections are moot.

Claim Rejections – 35 USC § 101

Claims 51, 53-59, and 62-67 stand rejected under 25 U.S.C. § 101 as directed to non-statutory subject matter. Without conceding the proprietary of the rejections, Applicants have amended claims 51, 53-59, and 62-67. Accordingly, Applicants respectfully submit that the rejections are overcome.

Claim Rejections – 35 USC § 103

Claims 1-18, 33-59, 62-76, and 79-84 stand rejected under 35 U.S.C. § 103(a) over D'Andrea and Janus (D'Andrea) over U.S. Patent Application No. 09/874,704 (Shiman). Applicants traverse these rejections. Claim 1 as amended recites in part an “operating system ... comprising a file system integrated with a database management program, the operating system configured to store, while in kernel mode, data in the file system as file streams, and generate, while in kernel mode, items associated with the file streams in the database management program.” Applicants respectfully submit that this aspect is not taught or suggested by the combination of references. For example, D'Andrea teaches a database management system, however there is no discussion as to whether the DBMS is part of an operating system, or integrated with a file system. Similarly, Shiman fails to teach or suggest a database management system is part the operating system, or integrated with the file system of the operating system.

Independent claims 51 and 68 recite similar elements to independent claim 1 and patentably define over the combination of references for at least similar reasons as claim 1.

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Accordingly, Applicants respectfully request reconsideration of the rejections of claims 51 and 68.

Dependent claims 3-18, 33-34, 39- 50, 53-59, 62-67, and 70-84 depend directly or indirectly from independent claims 1, 51, and 68. Accordingly, Applicants respectfully request reconsideration of the rejections of claims 3-18, 33-34, 39- 50, 53-59, 62-67, and 70-84.

CONCLUSION

Early consideration and allowance of the above-referenced patent application is respectfully requested.

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